APPENDIX C

ENVIRONMENTAL JUSTICE IN THE PERMITTING PROCESS:
A Report from the National Environmental Justice Advisory Council's Public meeting on Environmental Permitting - Arlington, Virginia November 30-December 2, 1999

COMMENTS TO THE OFFICE OF AIR AND RADIATION

ON THE EPA'S DRAFT URBAN AIR TOXICS STRATEGY

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Prepared by the

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL
AIR AND WATER SUBCOMMITTEE'S
URBAN AIR TOXICS WORKING GROUP

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INTRODUCTION

The National Environmental Justice Advisory Council's ("NEJAC") Air and Water Subcommittee authorized the creation of the Urban Air Toxics ("UAT") Working Group at its December 7, 1998 meeting in Baton Rouge, Louisiana. The UAT Working Group has been charged to examine the Draft Urban Air Toxics Strategy ("Urban Air Strategy"), published by the United States Environmental Protection Agency ("EPA" or "Agency"), and to develop recommendations for the Agency to incorporate environmental justice concerns into the Urban Air Strategy. The UAT Working Group is comprised of representatives from environmental, local government, industry, civil rights, and consumer rights organizations. The UAT Working Group worked with staff from EPA responsible for developing the Urban Air Strategy to develop an understanding of the strategy, goals, and available resources for implementation. The UAT Working Group conferred numerous times amongst itself and with EPA staff beginning January 1999. The UAT Working Group has completed its initial deliberations and hereby submits this report for EPA's consideration.

OVERVIEW

The UAT Working Group asserts that the Urban Air Strategy serves as the foundation for the agency to comprehensively address air quality in urban areas. The potential benefits of this strategy, if realized, will be an important victory for EPA, environmental justice groups, the communities they serve, and other stakeholders. An EPA analysis has demonstrated that people of color and low income populations disproportionately benefit from the stringent enforcement of the Clean Air Act ("CAA" or "Act"). Environmental Justice Annual Report, EPA 1994. Conversely, it must be true, that these same populations have suffered a disproportionate harm as a result of shortcomings in enforcement of the Act and meeting urban air quality standards. The UAT Working Group believes that the Urban Air Strategy should accomplish the goal of Section 112(k) of the Clean Air Act, to achieve measurable and significant air quality improvements in urban areas, and that this and other important environmental justice issues, such as assessing cumulative impacts and achieving actual risk reductions are attainable. However, to achieve the goals of the Urban Air Strategy and the other broader concerns, EPA must realize and use its immense legal authority under all statutes within its jurisdiction. Proper implementation of the Urban Air Strategy, including effective participation by environmental justice advocates, communities, and other

stakeholders, holds a lot of promise; however, a weak, poorly funded and unfocused strategy will mean many more years with few, if any, measurable results.

THE EPA'S DRAFT INTEGRATED URBAN AIR TOXICS STRATEGY

EPA published the Urban Air Strategy on September 1, 1998. EPA is scheduled to published a final strategy by June 18, 1999. The EPA's Urban Air Strategy is intended to reduce air toxic emissions in urban areas through regulatory and voluntary programs. The Urban Air Strategy is a fulfillment of rulemaking Docket Number 97-44. EPA has stated that the goal of the Urban Air Strategy is to protect public health and the environment from toxic air pollutants. This goal should be pursued with care to avoid creating problems, and interfering with job creation and economic revitalization initiatives of urban communities. Although the Urban Air Strategy is not a rule, the EPA expects the Urban Air Strategy to be the basis for new rules regulating toxic air emissions in urban areas. One of the major challenges for EPA will be to truly integrate the Urban Air Strategy with existing federal air programs, such as the Maximum Achievable Control Technology (MACT) program and rulemaking initiatives.

SUMMARY OF ISSUES

The UAT Working Group will address several core issues in this report. They include:

1. How should EPA integrate the Urban Air Strategy with the MACT program and other rule-making initiatives.
2. How should EPA define "urban" for purposes of the Urban Air Strategy.
3. How should EPA use the Cumulative Exposure Project ("CEP") data.
4. How should air monitoring initiatives be coordinated among EPA, states, and local governments.
5. Should EPA list new Hazardous Air Pollutants ("HAPs") and new sources in the Urban Air Strategy.
6. What is the design and scope of a model local air program that examines environmental justice issues in urban areas.
7. How should community input be solicited and incorporated into the Urban Air Strategy to supplement data used by EPA to identify areas of concern in urban areas.
8. How should EPA measure and quantify risk reduction.
9. How should EPA conduct a cumulative impact analysis in urban areas.
10. How should EPA integrate residual risk principles in the Urban Air Strategy.
11. Should EPA conduct health surveillance as part of implementing the Urban Air Strategy.

<u>Consensus Principles</u>

1. The UAT Working Group agrees that discrimination on the basis of race, color, or national origin is illegal and unjust.

2. The UAT Working Group agrees that EPA should identify, promote and ensure meaningful participation by all stakeholders.

3. The UAT Working Group recognizes that cumulative impacts in urban areas should be addressed effectively.

4. The UAT Working Group recognizes that cumulative exposure and synergistic health effects are important concerns of urban areas.

5. The UAT Working Group agrees that EPA should continue to consult with all affected stakeholders in regard to finalizing the Urban Air Strategy.

6. The UAT Working Group agrees that the Urban Air Strategy should be truly integrated with other programs and rulemaking.

7. The UAT Working Group agrees that the EPA should assess the public health significance of exposure of HAPs in urban areas and report that risk in a responsible and understandable anner to communities.

THE UAT WORKING GROUP'S RECOMMENDED ACTION ITEMS FOR EPA

Integrated and Comprehensive Regulation of Air Toxic Emissions

STATIONARY SOURCES

The UAT Working Group believes the Urban Air Strategy has two main goals: to address toxic emissions from area sources that to date are largely unregulated; and, to address the mix of pollutants found in urban areas (the "urban soup"). One of the most immediate and effective means of meeting these two goals is through integrating current regulatory activities within the Agency with the implementation of the Urban Air Strategy.

A majority of the UAT Working Group believes that this can be accomplished, in part, by integrating the Urban Air Strategy into current rulemakings targeting major sources. EPA should:

1. Gather information on area source emissions when developing new MACT's (specifically the 10-year MACT's). Consider the quantity, geographic distribution, and health significance of emissions. Apply best available technology to area sources but also make extensive use of pollution prevention options such as materials substitution. Evaluate health significance of all uncontrolled emissions of a particular HAP (including those sources and emission points not subject to the MACT, as well as area

sources not subject to a standard).

2. Integrate all EPA rulemakings with this strategy and the need to control HAPs and the corresponding health risks. All offices of EPA should evaluate the relationship between their activities and the need to comprehensively control HAPs.

3. Use authority under other statutes to adequately address all HAPs such as emissions from the use of consumer products.

4. Publish a complete list of all major and area sources of all HAP emissions with their relevant 4-digit SIC codes.

5. Conduct a review of MACT affected and unaffected facilities to determine the effectiveness of MACTs thus far in actually regulating source categories involved.

The UAT Working Group further urges that rulemaking targeting area sources to meet the goals of the Urban Air Strategy should:

1. Integrate regulation with the Title V program.
2. Require emissions statements from listed area sources.
3. Establish thresholds for emissions reporting based on toxicity of HAPs.
4. Charge an annual fee, rather than a per ton fee for area sources of HAPs.
5. Allow use of Title V fees to fund state toxics reduction programs.
6. Require all states to set Title V fees at the levels established in the Clean Air Act.

The majority of the UAT Working Group believes that it is important that for current MACT rulemakings (rules that are being developed, but have not yet been proposed), EPA ensure that the goals of the Urban Air Strategy are being met. For instance, the Industrial Combustion Coordinated Rulemaking has the potential to reduce a group of HAP emissions from thousands of small combustion sources. If the final rule does not set specific standards for key pollutants, such as mercury, EPA will miss a crucial opportunity - one that may not be regained - to regulate pollutants that adversely affect urban air quality, and will necessarily contradict the goals of the Urban Air Strategy.

The UAT Working Group believes that all rulemaking should emphasize pollution prevention practices as a means of meeting emissions standards. Existing sources using pollution prevention or toxics use reduction practices (such as materials substitution) should serve as a model, and should drive the outcome of each standard. Moreover, toxics use reduction (source reduction) should be a component of every rulemaking. It is important that major sources currently subject to existing MACT standards not

be targeted for additional emission reduction requirements until EPA has first considered reducing emissions from other sources.

MOBILE SOURCES

The UAT Working Group believes that EPA should evaluate the need and feasibility of new mobile source regulations as part of updating the mobile toxics inventory. As part of this effort, EPA should estimate potential reductions of tailpipe HAP emissions anticipated through full implementation of the Tier 2 and fuel sulfur rulemakings.

In addition, EPA should take advantage of current efforts to evaluate new diesel emission standards as an opportunity to begin fulfilling the Agency's objectives under the Urban Air Strategy. EPA should recommend the use of innovative technologies to reduce diesel particulate emissions, which will result in reductions of toxic hydrocarbon emissions.

The majority of the UAT Working Group believes that EPA's mobile source emissions rulemakings should evaluate emission contributions from the entire transportation, storage and distribution system for fuels for possible additional regulation. This part of the fuel system usually impacts urban centers because of the distribution of storage facilities as well as high usage in urban areas.

CEP Data

The UAT Working Group believes that the Cumulative Exposure Project (CEP) data is useful as a screening tool. The majority of the UAT Working Group believes that for the first time, EPA has valuable modeling data on projected ambient concentrations of a range of HAPs. The UAT Working Group, however, believes that the current CEP data should not be the only approach for deciding a course of action to address local toxics because the CEP data has technical limitations. Rather, the CEP data should be used by states to help prioritize local action in terms of identifying toxic concentrations, locating key emission sources, and assessing monitoring needs. It should be used as a tool by states and EPA when developing a local and nationwide toxics monitoring network. The overall objective should be employing a network of monitors in order to verify existing modeling data and generate more complete inventories.

Air Monitoring Networks

The UAT Working Group believes that air monitoring networks are an important and useful tool to assess emission reductions and high emission concentrations. The UAT Working Group asserts that more ambient monitoring for HAPs is needed, as well as assessments of exposure and health effects posed

by HAPs. While the CEP data provides valuable information, a comprehensive network of monitors is essential to get accurate information on specific pollutants and contributing sources. All monitoring data should be publicly available, including the draft monitoring plans. The majority of the UAT Working Group believes that EPA should pursue the following goals and objectives when developing a national toxic air monitoring program:

1. All large cities of the country should have air monitors for HAPs operating within two years. These monitors should supplement the fine particle monitors being installed. Measured pollutants from fine particle monitors (not just the speciated monitors) and the toxics monitors should be compiled and reported to the AIRS database. Toxics being measured through IMPROVE monitors should also be reported to the same database.

2. EPA should oversee the development of the toxics monitoring program to ensure that additional monitors are being strategically placed and are expanding upon existing networks rather than just being co-located with other monitors (for instance the PAMS and IMPROVE networks). EPA should encourage monitoring for different ubiquitous pollutants to get a broad national perspective as well as to allow monitoring for some pollutants likely to be of local concern. This is critical to confirm or refute the CEP modeling results.

3. HAPs selected because of local concern should have a reasonable rationale for their selection. Monitoring for various persistent bioaccumulative toxins is essential.

4. Large emissions of TRI chemicals (those not on HAP list) in a particular area may warrant ambient monitoring for those particular chemicals.

5. Large concentrations of industrial facilities in a non-urban area should also be considered for selection as part of the early network.

6. Public health researchers should be involved in the development of a toxics monitoring program, including providing input on pollutants of concern and designing the network to enable the data to be used for research purposes.

7. Assuring the public's right to know about the results must be a required element, as well as a proactive process for disseminating information.

The UAT Working Group believes that EPA should provide in the final Urban Air Strategy a description of the roles and responsibilities that will be allocated to EPA, the states, and local government in implementing an air monitoring network.

List of Sources

The UAT Working Group believes that due to the limited area source emissions data, the source category list is only a starting point for addressing air toxics. The list of source categories may need to be modified (through additions or deletions) as monitoring data become available. Therefore, the strategy must remain flexible to respond and regulate new sources as data become available. Moreover, the strategy must recognize the economic impact of adding particular small businesses to the area source list. Regulation under the Urban Air Strategy may not be the best and most economical manner for reducing these source emissions. Instead, EPA should consider regulation of the products used in certain small businesses such as nail shops and beauty shops. Furthermore, EPA should encourage pollution prevention and the use of alternative products by small business.

The majority of the UAT Working Group believes that before finalizing the Urban Air Strategy, EPA should revisit the draft source list. EPA should compare the draft source list to the sources identified by the State and Territorial Air Pollution Program Administrators and consider adding several key sources that were omitted from EPA's initial list, such as printers and airports. EPA, however, should not list any source for which the Agency is not prepared to use all of its authority to fully regulate.

List of Pollutants

The UAT Working Group recommends that EPA revisit the list of pollutants currently identified in the Urban Air Strategy. The UAT Working Group is concerned with the mechanism used for developing the list of priority HAPs, and believes that EPA should explain in the final Urban Air Strategy how the HAPs were identified. The UAT Working Group also recommends that EPA remain flexible with its list of priority HAPs as the program is being fully implemented. Through rigorous monitoring, a more complete inventory of HAP emissions in urban areas will be developed. EPA should rely on the updated inventory to verify that the right pollutants of concern are being targeted under the Urban Air Strategy.

The majority of the UAT Working Group recommends that EPA consider adding pollutants suggested by STAPPA, as well as polychlorinated biphenyls. If EPA is prepared to use its authority under TSCA to address pollutants emitted almost exclusively from the use of consumer products, then the EPA should list these pollutants in the final Urban Air Strategy. If EPA does not intend to address this "nonpoint" source, it may not be appropriate to list them in the Urban Air Strategy.

State Programs

The majority of the UAT Working Group believes that EPA should address consistent and pervasive exceedances of established health benchmark concentrations for a number of priority HAPs found nationally by establishing national standards.

The majority of the UAT Working Group believes that the EPA should signal support and offer incentives, including funding for existing and new-air toxics programs at the state level and encourage states to go beyond minimum requirements. States should be required to develop a UAT plan specific to the individual state, its urban areas and toxic hotspots. EPA should provide guidance to states and review plans to ensure accountability. States should work closely with Small Business Assistance Programs to build on information already gathered. The majority of the UAT Working Group believes that the state plans should:

1. Identify areas that the state agency will focus on for air monitoring.
2. Complete a profile of area sources concentrated in a particular area, and their emissions.
3. Quantify HAP emissions and contributing sources, and whether the source is currently regulated under a MACT, GACT, or another emission standard.
4. Identify known and potential toxic hotspots (using CEP results, ambient monitoring, TRI), and assess which communities are potentially affected, such as adjoining and downwind communities.
5. Describe in detail the full range of public participation activities planned by the agency. One specific requirement should be holding community roundtables in targeted neighborhoods.
6. Develop detailed action plans to ensure representatives from the environmental justice and community organizations are active participants in drafting the state plan.
7. Provide an opportunity for the public to petition the state and EPA for air monitoring changes, such as source category changes and hotspot attention, and require the state agency to provide a detailed response if the petition is not accepted.

The UAT Working Group urges EPA to set up a comprehensive framework to accomplish the goals of the Urban Air Strategy, but allow states flexibility in determining how to achieve the desired results. EPA can best serve this end by defining what must be accomplished and how progress will be measured in the real world.

Resources and incentives need to be made available to provide states added incentive to develop state toxics programs. Some of these may include:

1. Using the 112(l) program and providing grant allocations.
2. Using emission fees to fund portions of the program.
3. Providing new funding to states specifically for this program.
4. Include criteria in EPA's performance partnership agreements that would explicitly require states to set up toxics monitoring networks and a toxics program.

5. Include some requirements in the state air grants issued annually.

6. Issuing grants under the Clean Air Partnership Fund to fund state toxics programs and making this one of the selection criteria when soliciting proposals.

Areas of Concern

The UAT Working Group believes that a strategy driven solely on the identification of urban areas or geographic hotspots could cause facilities to merely move to "green fields." The majority of the UAT Working Group believes that the backbone of the overall strategy must be driven by national standards and regulations for all source categories of HAP emissions. This will avoid simply moving toxic problems elsewhere to avoid regulation.

States should address the problem of toxic hot spots in their new or existing air toxic programs. The first step in addressing this is identifying where problems exist and what steps are needed to reduce ambient concentrations of toxics. States should use CEP data as a starting point with their knowledge of area sources in a particular area, and with the intended goal of installing a dense network of monitors to develop a more complete inventory of sources contributing to the problem.

The UAT Working Group believe that pollution prevention, sustainable development and small business assistance should all be emphasized in this strategy. Environmental justice advocates and impacted communities have consistently demanded safe and economically viable alternatives to polluting industries in their communities. EPA should use a multi-program scheme such as crossing brownfield and sustainable development funding to encourage these types of developments.

The majority of the UAT Working Group believes that EPA should develop a national policy requiring close risk review prior to issuing permits to new and modified sources. There should be a national "no-degradation" policy with regards to air toxics. Given that areas throughout the U.S. already have unacceptable levels of HAP emissions, this policy would prohibit the issuance of any new permit that would allow new emissions of a similar class of pollutants in those impacted areas (e.g., if there is a cluster of cancer-causing emissions in a neighborhood, no new source emitting (probable or listed) carcinogens would be allowed). This policy needs to apply to local airsheds (neighborhoods) as well as entire metropolitan areas. The risk review must consider cumulative impacts of HAPs with a common health effect to ensure that public health does not further degrade with the increase in HAP emissions.

Measuring and Quantifying Risk Reductions

The UAT Working Group believes risk reductions are not real or quantifiable as long as they are based on inadequate measurements. Risk reductions can be a correlated measure with real reductions in

emissions of hazardous air pollutants, and therefore this is the quantifiable measure that should be used. Estimates of reductions and air modeling are not adequate. Risk reductions also cannot be national in scope. This would ignore both what is mandated in the Clean Air Act and the problem of high concentrations of HAPs in urban areas.

To measure real reductions, baseline air monitoring measurements of HAPs must be established in urban communities throughout the nation. In addition, EPA must establish a more complete emissions inventory based on actual measurements (and not just emission factors) for each listed source category prior to developing an emissions standard. EPA should rely on state Small Business Assistance Programs, many of which have been working with area sources of HAPs and have been gathering emissions data from these sectors.

Risk reductions under the Urban Air Strategy need to be achieved for both priority areas being addressed in the strategy - emissions from currently unregulated area sources, and the concentrated mixture of HAPs uniquely found in urban areas. A majority of the UAT Working Group recommends to EPA as follows:

1. Collect emission statements from area sources of HAPs (working with SBAPs as much as is practicable).
2. Evaluate toxicity of various pollutants—including cancer and non-cancer effects (e.g., neurotoxins, respiratory irritants).
3. Evaluate total aggregate emissions of HAP pollutants and their toxicity for each urban area.
4. Evaluate disproportionate geographic distribution of emissions within the urban area that could lead to higher risks for particular communities.

At the same time, EPA should not just focus on current emissions. Background concentrations from reservoirs should not be ignored since many of these contaminants consist of PBTs, greatly influence the total health risk, and continue to have adverse impacts long after industrial sources are controlled.

Cumulative Impacts

The UAT Working Group believes EPA should begin conducting an assessment of the cumulative impacts of all HAPs with common health effects, such as neurotoxins, by using an additive model. If synergism is known, appropriate multiplying factors should be utilized. This will require the assistance and involvement of researchers and public health and medical professionals. Cumulative impact analysis must account for background concentrations, persistent bioaccumulative toxins, and more than known

current emissions. Cumulative impacts must be assessed and risk reductions achieved not just at the national and regional level, but also for smaller severely impacted communities, frequently inhabited by people of color and low income populations. Averaging out large impacts is unacceptable and not good public health practice.

Multi-pathway analysis is also important for assessing cumulative impacts.

Residual Risk

The majority of the UAT Working Group believes that the Urban Air Strategy should include a new approach for conducting residual risk. Analysis of residual risk should be comprehensive and address all HAP sources and opportunities for reducing the risks to public health. (Residual risk is more meaningful to the public if it means risks left over after all possible control strategies have been implemented.) For this reason, instead of looking narrowly at the source category currently subject to the MACT standard, EPA should look at all emission sources of a particular HAP and hold those particular sources accountable. It should then identify regulated and unregulated sources and controlled and uncontrolled emission points. If this more comprehensive approach is adopted as part of the Urban Air Strategy, then EPA should be eligible to exercise broader authority than currently is suggested under the MACT residual risk program.

In addition, rather than waiting to evaluate residual risk once a rule is finalized, EPA should conduct a pre-residual risk analysis while developing new toxic emission standards (for major, area *and* mobile sources). Analyzing all sources of a particular HAP while developing a standard will provide the agency a better assessment on whether the resulting standard will adequately reduce health risks, and how the standard should be improved to ensure risks are, in fact, reduced.

Linking Health Surveillance with Urban Air Strategy

EPA should coordinate with public health researchers when designing databases and when developing and siting a national toxics monitoring network. Traditionally, EPA does not consider health effects research when setting up these network. It's imperative that this component is incorporated through the design and installation of toxics monitors (similar to approach being taken with the PM2.5 monitoring network). States also should be required to work with public health researchers when developing its network. Any guidance, policies, assessments, or evaluations of toxic exposure initiated by EPA should be conducted in close coordination with public health researchers.

Public health policy also should be a prominent component of the national "no-degradation" policy. For example, in the case of asthma, NYC has high incidence rates for hospitalizations and deaths.

Even without linking air pollutants with the incidence of disease, based on two separate sets of knowledge—knowledge of disease rates and knowledge of air pollution— air quality officials should act to reduce air pollutants that are respiratory irritants so that asthma is not exacerbated.

Public Participation and Environmental Justice

The UAT Working Group believes that EPA should develop national policy specifying how federal and states agencies will ensure ongoing, meaningful involvement by the environmental justice advocates, community groups, and other stakeholders as the Urban Air Strategy is implemented. The policy should be explicit in how EPA will guarantee participation in all areas of the Urban Air Strategy such as research, air monitoring, health surveillance.

In addition, the policy should outline state requirements for:

1. Developing a process for continuously consulting communities.
2. Providing assistance needed to guarantee meaningful involvement.
3. Develop protocol for distributing announcements regarding upcoming hearings and public meetings to be sensitive to particular community needs.
4. Identify key civic associations that should be brought into the process, and can play a role in reaching out to communities.
5. Establish a citizen task force to oversee the development and implementation of the state's toxics program.
6. Develop a plan to assess the public health significance of exposure to HAPs in urban areas and to report risk in a responsible and understandable manner to communities.

Phase-In of the Urban Air Strategy

The UAT Working Group believes that critical data gaps exist that can jeopardize the integrity of the Urban Air Strategy. It is recommended that EPA implement a national air toxics program in distinct steps as it continues to address these gaps, and seek stakeholder input at each stage of the process. In addition to those suggested above, the following near- and long-term actions are proposed:

Near Term Actions

1. Establish a process for continuing dialogue with environmental justice advocates, community organizations, state and local agencies, public health researchers, industry and other stakeholders continuously throughout the phase-in of the program. Solicit interest in receiving regular notices of new draft proposals, updates on progress, and schedule for meetings. Set up a framework for this kind of continuing input in the Urban Air Strategy to be released in June.

2. Develop a plan for providing the public with the CEP information, such as through community roundtables, conferences, educational materials, Internet, and EPA should act as a clearinghouse for information.

3. Carefully consider the budgetary needs of EPA for the Urban Air Strategy as well as for states, so that budget requests can be incorporated into the federal budget process. Make budget recommendations and rationale available to interested parties.

4. Develop a plan to fill remaining data gaps, such as research on area source emissions.

5. Compare CEP information with actual monitoring data in different areas of the country, and ensure that this information is available to the public.

6. Plan air monitoring network with involvement of all identified in number 1 above. Get air monitoring set up immediately in the twenty most populous cities.

7. Identify scientific, public health and technical questions and set up an advisory board to address these questions and oversee implementation of the Urban Air Strategy.

8. Carefully consider the budgetary needs and fund research for assessment of the public health significance of exposure to HAPs in urban areas.

9. Carefully consider the budgetary needs and fund air state monitoring networks and air toxic programs.

10. EPA should fully integrate all EPA rulemaking and the MACT program in the Urban Air Strategy to avoid duplicative regulation of the same HAPs and sources.

11. EPA should conduct research requiring the reduction of risk and emission accomplished by existing rules prior to considering the adoption of additional rules based on the Urban Air Strategy.

<u>Intermediate and Ongoing Actions</u>

1. Formalize the framework for continued input by making available research plans for comment; by incorporating public comment in the research plans; by gathering the needed data and information, evaluating it with outside parties and using it to set priorities; by continuing to develop and evaluate the progress of the program with input from the affected public and scientific advisors; and by measuring progress with quantifiable measures.

2. Develop rules for acting on CEP data if verified by monitoring data in sufficient areas of the country.

3. Work with states, locals and the public to develop plans for urban areas and other hotspots. As part of this effort gather information on brownfield sites, and other potential areas of concern.

4. Collect and evaluate air monitoring data on a regular basis, and update pollutant and source category

lists as new information is obtained.

CONCLUSION

This report provides the initial recommendations of the UAT Working Group. We will provide or modify our comments as additional information becomes available, and at a minimum, will review and provide recommendations on the final Urban Air Strategy.